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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,729	08/17/2001	Alexander Weiss	449122007100	4140

25227 7590 09/22/2004

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EXAMINER

SHARMA, SUJATHA R

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/913,729

Applicant(s)

WEISS, ALEXANDER

Examiner

Sujatha Sharma

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2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                                    |

***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d) which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuo [us 5,635,897].

Regarding claim 1, Kuo discloses a phone device attached to a mobile terminal and a body device to be carried by the user. Kuo further discloses a method wherein the telecommunication/mobile terminal is connected to the body/external signaling apparatus by a cordless communication for cordless call signaling (see col. 1, lines 25-35).

Regarding claim 2, Kuo further discloses a method wherein upon receiving a call, the telecommunication/mobile terminal sends a signaling signal to the body device/external call signaling apparatus and if the call is accepted by a user, sends a signaling end signal for deactivating the call signaling to the body device/external call signaling apparatus (see summary of invention, col. 3, lines 40-53).

Regarding claim 3, Kuo further discloses a method wherein the cordless communication between the telecommunication/mobile terminal and the body device/external call signaling apparatus occurs by radio or infrared transmission (see col. 1, lines 39-42).

Regarding claim 4, Kuo further discloses a method wherein the body device/external call signaling apparatus is designed to give a vibrating alarm (see col. 1, lines 39-45).

Regarding claim 5, Kuo further discloses a method wherein the telecommunication/mobile terminal has an audible alarm when the physical distance between the telecommunication/mobile terminal and the body device/external call signaling apparatus exceeds a particular value (see col. 1, lines 35-38, col. 2, lines 20-31).

Regarding claim 6, Kuo further discloses the body device/external call signaling apparatus to comprise of a dedicated power supply (see col. 3, lines 37-39).

Regarding claim 7, Kuo further discloses a method wherein the body device/external call signaling apparatus is designed too be carried on the body of the user (see summary of invention).

Regarding claim 8, Kuo further discloses a method wherein the body device/external call signaling apparatus is automatically activated and an audible alarm device of the telephone is

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automatically activated when the signaling apparatus is carried on the body of the user (see summary of invention, col. 2, lines 32-37 and 44-47.

*Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sallen [US 5,661,460] Distance determination and alarm system

Huang [US 6,011,471] Alarm system

Cervantes [US 6,735,433] Apparatus and method for automated call feature activation/deactivation

Kim [US 6,560,467] Mobile phone provided with a device for notifying the user of the reception of a call signal and method therefor

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujatha Sharma whose telephone number is 703-305-5298. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sujatha Sharma  
September 9, 2004



**NICK CORSARO**  
**PRIMARY EXAMINER**